

REMARKS

Claims 1-14 and 23-26 are pending. Claims 1-14 are allowed and 23-26 stand rejected. Allowance of claims 1-14 is respectfully acknowledged.

Rejection Under 35 U.S.C. 102(e)

Claims 23-26 are rejected under 35 U.S.C. 102 (e) as being anticipated by Tokarski et al. in U.S. Patent Application Publication 2004/0170910. As suggested by the Examiner, Applicants have submitted herewith a Declaration under 37 CFR 1.132, indicating that the invention disclosed and not claimed in the above-noted reference is derived from the inventors of the instant application and is thus the inventors' own work. The Examiner indicated that the statement in the Declaration previously submitted was made by only one inventor of the instant application, and the Rule 132 declaration must be made by the inventors of the instant application, not just one of the inventors. MPEP 715.01 The enclosed Declaration is signed by all the inventors.

By way of explanation, the laboratory where the inventors worked at the time of the invention is closed down and the inventors are no longer to be found in one location. Applicant's representative has worked diligently to locate each of the inventors and to obtain signatures on the Declarations. These efforts have succeeded in obtaining signatures of all of the seven inventors. Applicant's representative believes that a *bona fide* effort has been made to obtain all the inventors' signatures. Therefore, reconsideration and withdrawal of the rejection of claims 23-26 under 35 U.S.C. 102 (e) are respectfully requested.

Conclusion

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.



The Examiner is invited to telephone the undersigned if the Examiner believes it would be useful to advance prosecution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Irene Eckert', with a stylized flourish at the end.

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